

REMARKS/ARGUMENTS

Applicants have amended claim 7 to correct a typographical error. Applicants have amended claims 1 and 16 to make it grammatically clear that the amount of a6b4 integrin is reduced by targeting the beta 4 region.

Responsive to the Restriction Requirement of January 7, 2009 for the above-captioned application, Applicants hereby elect species Group 1, drawn to antibody therapeutic agents, the species of breast cancer, and the species of receptor protein tyrosine kinase of Met. The claims that read on these species are 1-3, 6-20, and 23-24. This election is made **with traverse**.

This application is a 371 national phase application filed from a PCT application. The unity of inventions standard must be applied. See 37 CFR § 1.499 and MPEP § 1893.03(d). “When making a lack of unity of invention restriction requirement, the Examiner must (1) list the different groups of claims and (2) explain why each group lacks unity with each other group (i.e., why there is no single general inventive concept) specifically describing the unique special technical feature in each group.” MPEP § 1893.03 (d). The absence of a common inventive concept must be shown; not merely the presence of differences. As long as there is a single common special technical feature, a restriction requirement is improper. Here, the Examiner has not applied this standard correctly and has failed to describe why there is no common special technical feature.

The common inventive concept in claims 1 and 16 is the treatment of tumors by administration of a therapeutic agent that reduces the amount of active a6b4. As all other claims are dependent on these claims, they necessarily contain this common special technical feature. It does not matter how many differences the Examiner may point out. Under the unity of invention standard, so long as there is a common special technical feature, restriction is improper.

Appln No.: 10/596,364

Reply to Office Action of January 7, 2009

As detailed above, the Examiner has failed to show that the restricted species do not possess the same common technical feature utilizing the unity of invention standard, and all restriction requirements should be withdrawn.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Marina T. Larson', is written over a horizontal line.

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